

REMARKS/ARGUMENTS

Applicants acknowledge receipt of the Office Action dated July 3, 2003. By virtue of this amendment, claims 14, 16, 24, 25, 31, and 32 are pending in the application. Claims 24, 25, and 32 are allowed. In addition, claims 14, 16 and 31 are amended, and claims 15 and 17-19 are canceled. Please note that claims 14, 16, 24, 31, and 32 are independent claims. Claims 14-19 and 31 are rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Claims 15 and 17-19 are rejected under 35 U.S.C. § 102 as being allegedly anticipated by *Droege*. Claims 15 and 17-18 are rejected under 35 U.S.C. § 103 as being allegedly unpatentable over *Tan* in view of *Droege*.

I. Claims 14, 16, and 31 are allowable.

The Examiner has rejected claims 14-19 and 31 under 35 U.S.C. § 112 as allegedly failing to comply with the written description requirement. Claims 15 and 17-19 have been canceled. In addition, both claims 14 and 31 have been amended to recite a surface area between 200 and 2,000 m²/g, and claim 16 has been amended to recite a carbon having a volumetric capacitance in a non-aqueous electrolyte of at least 20 F/cc, a density greater than 0.5 g/cc, a surface area between 200 and 2,000 m²/g, an average pore size greater than 10 nm, a conductivity of at least 10 Scm⁻¹, and wherein the carbon is an activated carbon, which includes the limitations of independent claim 15. Such recitations in claims 14, 16, and 31 are sufficiently described in the specification to satisfy the requirements of 35 U.S.C. § 112. Applicants therefore respectfully request the Examiner to withdraw the rejections under 35 U.S.C. § 112 and allow claims 14, 16, and 31, as amended.

II. Claims 15 and 17-19 have been canceled.

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The Examiner has rejected claims 15 and 17-19 under 35 U.S.C. § 102 as being allegedly anticipated by *Droege*. Claims 15 and 17-19 have been canceled.

III. Claims 15 and 17-18 have been canceled.

The Examiner has rejected claims 15 and 17-18 under 35 U.S.C. § 103 as being allegedly unpatentable over *Tan* in view of *Droege*. Claims 15 and 17-18 have been canceled.

IV. Conclusion

Applicants believe that all pending claims are allowable and that the present application is now in full condition for allowance, which action Applicants earnestly solicit. If the Examiner feels that a telephone conference would expedite the resolution of this case, the Examiner is respectfully requested to contact the undersigned.

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art that have yet to be raised, but which may be raised in the future.

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If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley Rose, P.C. Deposit Account Number 03-2769.

Respectfully submitted,



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